



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 20.4.2007
COM(2007) 198 final

Proposal for a

COUNCIL DECISION

modifying the Internal Agreement of 17 July 2006 between the Representatives of the Governments of the Member States, meeting within the Council, on the financing of Community aid under the multi-annual financial framework for the period 2008-2013 in accordance with the revised ACP-EC Partnership Agreement and the allocation of the financial assistance for the Overseas Countries and Territories to which part Four of the EC Treaty applies

(presented by the Commission)

EXPLANATORY MEMORANDUM

The Internal Agreement between the Representatives of the Governments of the Member States, meeting within the Council, on the financing of Community aid under the multi-annual financial framework for the period 2008-2013 in accordance with the revised ACP-EC Partnership Agreement and the allocation of the financial assistance for the Overseas Countries and Territories to which part Four of the EC Treaty applies (hereinafter referred to as "Internal Agreement") was signed on 17 July 2006.

The Republic of Bulgaria and Romania acceded on 1 January 2007 to the European Union.¹ According to Article 6 (11) of the 'Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the treaties on which the European Union is founded'², the Republic of Bulgaria and Romania acceded automatically to the Internal Agreement from the date of accession.

As regards the contribution of the Member States to the tenth European Development Fund (hereinafter referred to as 'EDF'), Article 1 (2)a) of the Internal Agreement contains merely the estimated contribution and contribution key for Bulgaria and Romania. It is stated in Article 1 (7) of the Internal Agreement that the allocation of contributions shall be amended by a decision of the Council acting unanimously, should a new State accede to the EU.

Regarding the weighting of votes in the EDF committee, Article 8 (2) of the Internal Agreement contains merely the estimated votes for Bulgaria and Romania. It is stated in Article 8 (4) of the Internal Agreement that the weightings shall be amended by a decision of the Council acting unanimously, should a new State accede to the EU.

On the aforementioned basis the estimated contributions and votes for Bulgaria and Romania shall be confirmed by the attached draft decision of the Council.

The Commission therefore suggests that the Council adopts the attached decision.

¹ See Treaty between the Member States of the European Union and the Republic of Bulgaria and Romania concerning the accession of the Republic of Bulgaria and Romania to the European Union, OJ L 157, 21.6.2005, p. 11

² OJ L 157, 21.6.2005, p. 203.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part and the European Community and its Member States, of the other part, signed in Cotonou, on 23 June 2000³, as revised and signed in Luxembourg, on 25 June 2005⁴, (hereinafter referred to as “the revised ACP-EC Partnership Agreement”)),

Having regard to the Internal Agreement between the Representatives of the Governments of the Member States, meeting within the Council, on the financing of Community aid under the multi-annual financial framework for the period 2008-2013 in accordance with the revised ACP-EC Partnership Agreement and the allocation of the financial assistance for the Overseas Countries and Territories to which part Four of the EC Treaty applies (hereinafter referred to as “Internal Agreement”)⁵, and in particular Articles 1 (7) and Article 8 (4) thereof,

Having regard to Article 6 (11) of the 'Act concerning the conditions of accession of the Republic of Bulgaria and Romania and the adjustments to the treaties on which the European Union is founded'⁶, according to which the Republic of Bulgaria and Romania acceded automatically to the Internal Agreement from the date of accession,

Having regard to the accession of the Republic of Bulgaria and Romania to the European Union as of 1 January 2007⁷.

Having regard to the proposal submitted by the Commission,

Whereas:

³ OJ L 317, 15.12.2000, p. 3.

⁴ OJ L 209, 11.08.2005, p. 26.

⁵ OJ L 247, 9.9.2006, p. 32.

⁶ OJ L 157, 21.6.2005, p. 203.

⁷ See Treaty between the Member States of the European Union and the Republic of Bulgaria and Romania concerning the accession of the Republic of Bulgaria and Romania to the European Union, OJ L 157, 21.6.2005, p. 11

- (1) In accordance with Article 1 (7) of the Internal Agreement, the allocation of contributions referred to in its paragraph 2a), which are currently only estimated amounts for Bulgaria and Romania, shall be amended by Council decision should a new State accede to the EU.
- (2) In accordance with Article 8 (4) of the Internal Agreement, the weightings laid down in its paragraph 2, which are currently only estimated votes for Bulgaria and Romania, shall be amended by Council decision should a new State accede to the EU.

HAS DECIDED AS FOLLOWS:

Article 1

The contribution key and the contribution of Bulgaria and Romania to the tenth European Development Fund as laid down in Article 1 (2)a) of the Internal Agreement as well as their votes in the European Development Fund Committee as laid down in Article 8 (2) of the Internal Agreement are hereby confirmed.

Article 2

Based on Article 1, the following modifications are necessary:

- (1) In Article 1 (2)a) of the Internal Agreement the "asterix" as well as the notion "(*) estimated amount" shall be deleted.
- (2) In Article 8 (2) of the Internal Agreement the following shall be deleted:
 - the "asterix";
 - the notion "(*) estimated vote";
 - the row "Total EU-25", "999";
 - the brackets in the row "Total EU-27".
- (3) Article 8(3) of the Internal Agreement shall be updated as follows:

"The EDF Committee shall act by a qualified majority of 724 votes out of 1004, expressing a vote in favour by at least 14 Member States. The blocking minority shall consist of 281 votes."

Article 3

This decision shall enter into force on the day following that of its adoption.

Done at Brussels,

*For the Council
The President*